

Art Unit 2627  
Serial No.10/698,787

Reply to Office Action of: April 19, 2006  
Attorney Docket No.: A1304

REMARKS

RECEIVED  
CENTRAL FAX CENTER

JUN 26 2006

Summary of Telephone Interview

A telephone interview with the examiner was held on 06/14/06 to discuss the rejections in the final office action of April 19, 2006. The applicant explained how Prins et al. (US Pat. No. 5,627,695) discloses the prior art disk format shown in FIG. 1 of applicant's specification, including a single index servo sector for initializing a servo sector counter. The applicant explained how this prior art format can result in an entire revolution of latency when the disk drive needs to synchronize to the index servo sector, and how the embodiments of the present invention address this problem by including multiple index servo sectors around the circumference of the disk. The examiner appeared to agree that Prins does not disclose or suggest using multiple index servo sectors to initialize a servo sector counter.

Rejection Under 35 U.S.C. 102(b)

In the final office action, the examiner sustained the rejection of claims 1, 2, 4, 5, 10, 12, 13, 15, 16 and 21 under 35 USC §102(b) as anticipated by Prins et al. (5,627,695). The applicant respectfully disagrees.

Prins discloses a conventional disk format wherein each track comprises a single index servo sector. At col. 5, lines 14-16, Prins discloses a conventional HDA that "preferably generates an index pulse when a particular one of the servo cells 105 passes under the read/write head." In addition, Prins discloses at col. 6, lines 7-8, that the "index pulse indicates when the read/write head is over a 'reference' servo cell 105."

Art Unit 2627  
Serial No.10/698,787

Reply to Office Action of: April 19, 2006  
Attorney Docket No.: A1304

In response to the above argument, the examiner asserts that Prins discloses (col. 3, lines 8-28) to count servo sectors and therefore Prins discloses multiple index servo sectors. However, Prins discloses (col. 3, lines 14-16) that "each time the head is over a predetermined angular reference position, an index pulse is generated by the HDA in conventional fashion." Thus, Prins discloses that there is a single angular reference position wherein a single index pulse is generated, which means that Prins discloses a single index servo sector. The mere fact that Prins discloses to count the servo sectors relative to a single index servo sector does not mean that Prins discloses multiple index servo sectors.

In addition, claim 1 recites to initialize a servo sector counter relative to which index mark is detected, whereas Prins discloses at col. 3, lines 18-20, that when the "Index pulse occurs, the count value of the servo zone counter is reset to a known value." Thus, Prins does not disclose to initialize a servo sector counter relative to which (of multiple) index servo sectors is detected.

In response to the above argument, the examiner asserts that Prins discloses (col. 3, lines 52-67) a sector counter that is reset at the beginning of each servo sector. However, the sector counter disclosed at col. 3, lines 52-67, counts the number of servo clock cycles to the beginning of each data sector rather than counts servo sectors. Therefore, the servo clock cycle counter disclosed by Prins does not anticipate or render obvious the servo sector counter recited in the claims.

The rejections of the remaining claims should be withdrawn for at least the reasons set forth above and for the additional reasons set forth in applicant's previous response.

Art Unit 2627  
Serial No.10/698,787

Reply to Office Action of: April 19, 2006  
Attorney Docket No.: A1304

### CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the pending claims are now in condition for allowance and requests reconsideration of the rejections. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 23-1209.

Respectfully submitted,

Date: June 26, 2006

By: 

Jason T. Evans, Esq.  
Reg. No. 57,862

WESTERN DIGITAL TECHNOLOGIES, INC.  
20511 Lake Forest Drive  
Lake Forest, CA 92630  
Tel.: (949) 672-7000  
Fax: (949) 672-6604